

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CAS TANNER,

Plaintiff,

v.

RUTH T. MORGAN,

Defendant.

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Civil Action No. **3:09-CV-2139-L**

ORDER

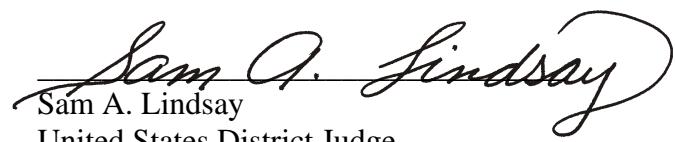
Before the court are the Findings and Recommendation of the United States Magistrate Judge, filed December 8, 2009. Plaintiff timely filed objections.

Plaintiff is proceeding *pro se*. On November 17, 2009, the magistrate judge sent a questionnaire to Plaintiff seeking additional information about her claims. After receiving Plaintiff's response, the magistrate judge determined that the court lacks subject matter jurisdiction over her claims and recommended dismissing this action without prejudice.

Plaintiff filed objections, but she does not address the magistrate judge's conclusion that there is no subject matter jurisdiction over this action. She does state that she seeks damages in the amount of \$247 million, rather than \$70,000, but this does not create jurisdiction because the parties are both residents of Texas and she has not identified any federal basis for jurisdiction. Accordingly, the court **overrules** Plaintiff's objections.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. The court therefore **dismisses** this action **without prejudice** for lack of subject matter jurisdiction.

It is so ordered this 28th day of December, 2009.



Sam A. Lindsay
United States District Judge